



## MASSACHUSETTS FARM BUREAU FEDERATION, INC.

*"The Voice of Agriculture"*

---

466 Chestnut St, Ashland, MA 01721 • Phone: 508.881.4766 • Fax: 508.881.4768 • Email: [info@mfbf.net](mailto:info@mfbf.net) • [www.mfbf.net](http://www.mfbf.net)

August 3, 2010

Commissioner Phillip Giudice  
MA Department of Energy Resources  
100 Cambridge St., Suite 900  
Boston, MA 02114

Dear Commissioner Giudice:

On behalf of the more than 6000 members of the Massachusetts Farm Bureau Federation statewide, I am writing to provide input DOER's efforts to developing new regulations and policy relative to biomass facilities. Thank you for the opportunity to express our views.

The Massachusetts Farm Bureau Federation is the largest non-profit farming organization in the state. Forestry as you know is a component of agriculture under state law. Many of our members are involved in forestry either as the sole focus of their businesses, or as a component of their larger farm activities.

My members view biomass facilities as a potentially large market for waste wood. New markets for unused waste is good news for any business, but particularly so in agriculture. Forestry and agriculture have always been somewhat volatile vocations subject to impacts of weather, pests and disease, market fluctuations, etc. New and expanded markets for items such as waste wood help farms to diversify, stabilizing their businesses. This translates not only to more stable small businesses, but more stability to the many benefits that farms bring to the Commonwealth – protection of open space, availability local and healthy food, and contributions to rural economies.

We recognized the need to implement policies that will ensure that biomass facilities operate in an environmentally sound and sustainable manner. These policies should also ensure that supplies of biomass feedstock are obtained in a sustainable manner. These policies however, must be based on sound science and scientific consensus. We are concerned about the degree to which the administration has been focusing on the findings of Manomet study. While the Manomet study brings very useful information to the table, it does have limitations and flaws. It has not been peer-reviewed. Most importantly, it is yet a single study amidst a large body of information. It would be a mistake to rely largely on a single study in the drafting of upcoming regulations.

Farm Bureau is also concerned about stipulations that a certain amount of forest residue (waste wood including tree top, branches, etc.) that might be required to be left in the forest. We have several concerns in this area:

Docket # FDA-2010-N-0085

- It must be kept in mind that this material is generally the property of the logger – either due to the fact that they own the property, or because they have essentially purchased the entire tree through a lease, etc. Efforts to protect the environment must be balanced against personal property rights.
- Further, any mandates or recommendations relative to the leaving forest residues *in situ* need to be science-based. Science would dictate that the amount of forest residue needed to be left *in situ* in order to maintain or enhance a given ecosystem, would vary considerably with the soil type and characteristics of the soil, type and age of the forest, etc. A single, random percentage figure cannot be justified.
- Additionally, we are concerned about enforcement of such requirements. It is very difficult to accurately measure the percentage forest residue relative to a tree or parcel of land, especially after the main body of the tree has been removed. Additionally, we are unaware of any state agency which currently has the resources to enforce such standards. DCR commercial foresters are best suited for such activities. However they are woefully understaffed.

Farm Bureau is also concerned about any efforts which might result in a change in the threshold used to determine when a forest cutting plan is required. Under the Massachusetts Forest Cutting Practices Act, there are currently are exemptions from having to file a Forest Cutting Plan when the volume harvested is below a certain threshold. It is important that these thresholds be maintained. Forest Cutting Plans can prove a significant cost and burden for small landowners. The lowering or removing the threshold could cause some forest landowners to find uses the land other than forestry, including development. This is clearly not in the best interest of the environment or the Commonwealth.

Biomass facilities can contribute considerably to the urban economy, and to the success and stability of small farming and forestry businesses. DOER must be careful to craft the regulations so that they achieve their intended benefit of ensuring sustainable energy production, without unduly hindering either biomass facilities or the small businesses which provide them with feedstock.

Thank you for the opportunity to comment.

Brad Mitchell  
Director, Government Affairs